



# King County Form-Based Code Project

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## Department of Development and Environmental Services White Paper

### **Issue Statement**

Since its inception in the early 20<sup>th</sup> century, conventional zoning has regulated development through a proscriptive approach to land use. Originally created to protect residences from the negative externalities of industrial production, conventional zoning is increasingly considered an outmoded form of regulating development. The original concept was to separate land uses (residential, commercial, institutional, industrial) into distinct zones. This strict segregation of land uses has evolved to separate homes from places of work and retail uses intended to serve residences. Pedestrian mobility is impractical and unappealing if not impossible for many neighborhoods. Proscriptive (“what is not wanted”) regulations has had little affect on the composition of the public space—the area from building frontage to opposite building frontage. The result has often been unattractive, downtrodden urban areas and sterile, “cookie-cutter” suburban developments that lack pedestrian connections and transportation alternatives. Additionally, conventional zoning has had limited ability to achieve public policy goals such as sustainable development and provision of affordable housing.

In contrast to development under conventional zoning, mixed-use centers within walking distance of residences is widely considered a more sustainable, healthy and equitable form of development. Yet these types of neighborhoods are often prohibited by conventional zoning. In order to encourage and permit these neighborhoods, a different type of zoning code is required. One approach being implemented by a growing number of municipalities is the Form-Based Code. A prescriptive approach to regulating development, a Form-Based Code creates outcome-based development by focusing on the physical form and incorporating important public policy goals.

A recent example of this type of development is Greenbridge, a mixed-income community in White Center. Made possible by a demonstration ordinance, Greenbridge used a form-based focus that created colorful, energy-efficient houses while achieving public policy objectives. Sustainable development was used both in demolition of the previous barracks-style buildings and new construction. Rental and home-ownership housing for a range of incomes, including affordable and workforce, is provided. The development’s location near downtown White Center places retail and transit options within walking distance of residences. When completed, Greenbridge will consist of 1,000 homes for approximately 3,500 people.

The purpose of this project is to examine the feasibility of replacing the county’s current conventional zoning code with a Form-Based Code.

### **Benefits of a Form-Based Code**

Originally considered an extension of a municipality's policing power, conventional zoning has focused on the segregation of incompatible land uses since its inception. This segregation of uses has necessitated detailed land use tables. As the tables are inherently proscriptive, any proposed use not already addressed requires amendments to the tables. Over time this process causes the tables to become increasingly large and specific. Adding to this complexity are conditional and non-conforming use permits and variances. The land use section of a conventional zoning code can easily become the largest individual section without determining any outcomes of the built environment.

The need to continue conventional zoning's policing-of-uses approach is being questioned. Few modern land uses impose the negative externalities on neighboring properties of early 20<sup>th</sup> century industry. In contrast, a growing body of study, including King County's Healthscape and the Equity and Social Justice Initiative, has suggested the built environment can have a profound effect on the public's health and social well-being. Conventional zoning's focus on use over form may be causing more harm than good.

The Form-Based Code seeks to reverse this trend by using a prescriptive ("what is wanted") approach that focuses primarily on the public space created by buildings—the public's "living room." Parking is placed behind buildings, creating a consistent streetscape with windowed retail in commercial areas and porch-lined homes in residential areas. Higher density developments are required to be consistent with the general form of the neighborhood.

The code's prescriptive approach is also better suited to achieving public policy goals. In recognition of the importance of addressing climate change, the code will establish standards for Greenbuilding and sustainable development. The code will work to reduce the county's carbon footprint, including allowing and encouraging mixed-use and transit-orientated development. The code will also provide workforce and affordable housing while maintaining the same development and building standards found in market rate housing. The mix of housing types found in the Greenbridge development serves as a model for providing affordable and workforce housing.

In the Rural Area, the Form-Based Code's freer use tables and greater predictability in the development process can create more opportunities for rural businesses and land owners. Rural Towns and Neighborhood Commercial Centers can be developed over time in a manner consistent with the historical character of these areas and provide a broader range of services to local residences.

Finally, the Form-Based Code is easier to use by non-professional developers than the existing conventional code. Shorter and more concise, the Form-Based Code is organized for visual accessibility and general readability. The code is written in plain English and uses matrices, diagrams, illustrations and sample pictures. The clear and concise language and outcome-based focus of the code can deliver greater predictability for both the Department of Development and Environmental Services (DDes) staff and customer.